

Teen raised legal concerns in Johnathan Davis claim: Shane Rattenbury

 canberratimes.com.au/story/8424026/rattenbury-decries-gotcha-attempts-in-wake-of-davis-allegations

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■ Watch: Deputy Chief Minister Yvette Berry says an independent inquiry will be established to examine the handling of allegations made against Johnathan Davis.

Greens leader Shane Rattenbury has said a young man who raised specific allegations against Mr Davis did express concerns to his chief of staff about the potential illegal soliciting of explicit images.

Mr Rattenbury has also criticised the "desire to capture the political gotcha moment" over his party's handling of allegations against Mr Davis

Mr Rattenbury's chief of staff's report, published by the party on Monday, did not note specific concerns being illegal behaviour raised at a meeting on Tuesday, November 7.

The report said: "I reviewed this material and found that while much of the language could be considered explicit, the messages were consensual and the communications were made in the context of an ongoing relationship. This did not appear to be an obvious breach in the law.

"It appears that photos were exchanged, but at a time after which both parties had engaged in a physical relationship. At this point it was clear that Mr Davis knew that this party was 17 and not 18 because on 8 December 2022 he shared a COVID certificate with a birthdate confirming his age."



📷 Johnathan Davis, left, and Shane Rattenbury. Pictures by Keegan Carroll and Karleen Minney

It is a Commonwealth offence for a person to transmit, access or solicit child abuse material of a child aged under 18.

The law defines child abuse material to include depictions of a person under 18 engaged in an offensive sexual pose, or which depicts a sexual organ of a person aged under 18 for a sexual purpose "in a manner which reasonable persons would regard as being, in all the circumstances, offensive".

It is unknown if Mr Davis knew that was an offence. Mr Davis declined, through a lawyer, to comment.

Mr Rattenbury told ABC radio on Wednesday he had not personally seen the evidence provided by the young man, who was 17 at the time of an alleged relationship with Mr Davis and is now 18, which the teenager said demonstrated pictures had been shared.

The evidence included "blurry" photographs, Mr Rattenbury said, who has not seen the photographs but said his chief of staff had described them.

"It is actually unclear whether what the nature of those photos were, they were told to us to be explicit. This has obviously raised a significant area of concern," he said.

"And so that's one of the key reasons we saw necessary to go to police because we're in a situation where there was possibly illegal conduct, but it was not clear to us."

Mr Rattenbury said he welcomed an independent investigation into the handling of the allegations, saying someone with legal experience in the field would likely be an appropriate person to lead the work.

Deputy Chief Minister Yvette Berry on Tuesday foreshadowed an independent investigation, with further details to be agreed at a later date between ACT Labor, the Canberra Liberals and the Greens.

The Greens leader acknowledged in hindsight there could be "lessons to be learnt", which the party was open to, but stressed the party had sought to be transparent about its handling of the allegations.

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"It does feel like there is a desire to capture that political gotcha moment. If I'm frank, that's what it's feeling like," Mr Rattenbury said.

"And I don't mean to diminish the fact that there are potentially questions to be asked here. But you have got to, you know, [look] at it through a bit of that filter as well. And I'm finding that pretty tough to be honest."

Mr Rattenbury said he did not know why a young man took his allegations to *The Canberra Times*.

"He went to the press 48 hours after he'd spoken to us. I don't know why he did that, but that obviously changed the way people are perceiving how we approach this," he said.

Mr Rattenbury said the party had worked quickly to assess the allegations.

"It's not that we sat on this for weeks or months, we dealt with it extremely quickly in my view. Now, others will potentially have a different view," he said.

"The review will potentially come back and advise us that we might have proceeded differently."